

Revision: HCFA-PM-94-1 (MB)  
FEBRUARY 1994

State/Territory: New Hampshire

Citation

4.22 Third Party Liability

- 42 CFR 433.137 (a) The Medicaid agency meets all requirements of:
- (1) 42 CFR 433.138 and 433.139.
  - (2) 42 CFR 433.145 through 433.148.
  - (3) 42 CFR 433.151 through 433.154.
  - (4) Sections 1902(a)(25)(H) and (I) of the Act.
- 1902(a)(25)(H) and (I) of the Act
- 42 CFR 433.138(f) (b) ATTACHMENT 4.22-A --
- (1) Specifies the frequency with which the data exchanges required in §433.138(d)(1), (d)(3) and (d)(4) and the diagnosis and trauma code edits required in §433.138(e) are conducted;
  - (2) Describes the methods the agency uses for meeting the followup requirements contained in §433.138(g)(1)(i) and (g)(2)(i);
  - (3) Describes the methods the agency uses for following up on information obtained through the State motor vehicle accident report file data exchange required under §433.138(d)(4)(ii) and specifies the time frames for incorporation into the eligibility case file and into its third party data base and third party recovery unit of all information obtained through the followup that identifies legally liable third party resources; and
  - (4) Describes the methods the agency uses for following up on paid claims identified under §433.138(e) (methods include a procedure for periodically identifying those trauma codes that yield the highest third party collections and giving priority to following up on those codes) and specifies the time frames for incorporation into the eligibility case file and into its third party data base and third party recovery unit of all information obtained through the followup that identifies legally liable third party resources.
- 42 CFR 433.138(g)(1)(ii) and (2)(ii)
- 42 CFR 433.138(g)(3)(i) and (iii)
- 42 CFR 433.138(g)(4)(i) through (iii)

TN No. 94-17 Approval Date 9/30/94 Effective Date 10/1/93  
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TN No. 90-11

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- 42 CFR 433.139(b)(3) (ii)(A) (c) Providers are required to bill liable third parties when services covered under the plan are furnished to an individual on whose behalf child support enforcement is being carried out by the State IV-D agency.
- (d) ATTACHMENT 4.22-B specifies the following:
- 42 CFR 433.139(b)(3)(ii)(C) (1) The method used in determining a provider's compliance with the third party billing requirements at §433.139(b)(3)(ii)(C).
- 42 CFR 433.139(f)(2) (2) The threshold amount or other guideline used in determining whether to seek recovery of reimbursement from a liable third party, or the process by which the agency determines that seeking recovery of reimbursement would not be cost effective.
- 42 CFR 433.139(f)(3) (3) The dollar amount or time period the State uses to accumulate billings from a particular liable third party in making the decision to seek recovery of reimbursement.
- 42 CFR 447.20 (e) The Medicaid agency ensures that the provider furnishing a service for which a third party is liable follows the restrictions specified in 42 CFR 447.20.

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4.22 (continued)

42 CFR 433.151(a)

- (f) The Medicaid agency has written cooperative agreements for the enforcement of rights to and collection of third party benefits assigned to the State as a condition of eligibility for medical assistance with the following: (Check as appropriate.)

X State title IV-D agency. The requirements of 42 CFR 433.152(b) are met.

       Other appropriate State agency(s)--  
\_\_\_\_\_

       Other appropriate agency(s) of another State--  
\_\_\_\_\_

       Courts and law enforcement officials.

1902(a)(60) of the Act

- (g) The Medicaid agency assures that the State has in effect the laws relating to medical child support under section 1908 of the Act.

1906 of the Act

- (h) The Medicaid agency specifies the guidelines used in determining the cost effectiveness of an employer-based group health plan by selecting one of the following.

X The Secretary's method as provided in the State Medicaid Manual, Section 3910.

       The State provides methods for determining cost effectiveness on ATTACHMENT 4.22-C.

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TN No. 91-25

, Approval Date

9/30/94

Effective Date 7/1/94


ORIGINAL

COOPERATIVE AGREEMENT  
between  
the New Hampshire Office of Child Support Enforcement Services  
and  
the New Hampshire Office of Medical Services

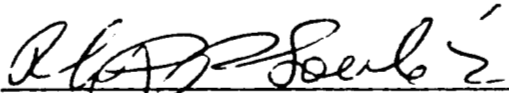
This agreement is entered into by the undersigned parties for the purpose of enforcing medical support obligations under section 1912 of the Social Security Act.

If it is determined to be in the best interests of the Division of Human Services, the Office of Child Support Enforcement Services shall, as an optional service under 45 CFR 306.10, receive referrals from the Office of Medical Services to secure and enforce the medical support obligation of an absent parent for a child for whom an assignment of medical support rights has been executed under 42 CFR 433.146; and, the Office of Medical Services shall reimburse the Office of Child Support Enforcement Services for administrative costs for any services which are not required by 45 CFR 306.50.

This agreement shall be amended if it is determined that the Office of Child Support Enforcement Services will receive referrals from the Office of Medical Services under 45 CFR 306.10, or for any other reason, with the consent of both parties.

  
Arthur A. Stukas, Administrator  
Office of Child Support  
Enforcement Services

12/14/88  
Date

  
Philip P. Soule, Sr., Administrator  
Office of Medical Services

12/14/88  
Date